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Norman H. Bangerter

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Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

January 7, 1993

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 316

Mr. Glen Zumwalt, VP
Utah Fuel Company
P.O. Box 719
Helper, Utah 84526

Dear Mr. Zumwalt:

Re: Finalized Assessments for State Violation Nos. N92-37-5-1, N92-37-6-1, and N92-37-7-1, Utah Fuel Company, Skyline Mine, ACT/007/005, Folder #5, Carbon County, Utah

The civil penalties for the above-referenced violations have been finalized. These assessments have been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must escrow the assessed civil penalty(ies) with the Division within a maximum of thirty (30) days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, these assessed civil penalties must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division, mail c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

William R. Richards
Assessment Conference Officer

jbe
Enclosure

cc: Bernie Freeman, OSM, AFO

File

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Utah Fuel Company/Skyline Mine

NOV #N92-37-5-1

PERMIT # ACT/007/005

VIOLATION 1 of 1

Assessment Date 1/6/93

Assessment Officer William R. Richards

Nature of Violation:

Failure to maintain diversions as described in the mining and reclamation plan.

Date of Termination: 11/5/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>8</u>	<u>5</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>22</u>	<u>15</u>
(4) Good Faith	<u>- 0</u>	<u>- 8</u>
Total Points	<u>35</u>	<u>17</u>
TOTAL ASSESSED FINE		<u>\$ 170.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

jbe

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Utah Fuel Company/Skyline Mine

NOV #N92-37-6-1

PERMIT # ACT/007/005

VIOLATION 1 of 1

Assessment Date 1/6/93

Assessment Officer William R. Richards

Nature of Violation:

Failure to implement sediment control measures and conducting coal mining operations outside the permit area.

Date of Termination: 11/25/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>15</u>	<u>10</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>22</u>	<u>16</u>
(4) Good Faith	<u>- 0</u>	<u>- 0</u>
Total Points	<u>57</u>	<u>46</u>
TOTAL ASSESSED FINE		<u>\$ 840.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Utah Fuel Company/Skyline Mine

NOV #N92-37-7-1

PERMIT # ACT/007/005

VIOLATION 1 of 1

Assessment Date 1/6/93

Assessment Officer William R. Richards

Nature of Violation:

Failure to provide maps and plans showing relevant surface configuraiton and slope;
size and location of spoil and development waste areas.

Date of Termination: 11/5/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(b) Hindrance to Enforcement	<u>15</u>	<u>10</u>
(3) Negligence	<u>13</u>	<u>13</u>
(4) Good Faith	<u>- 0</u>	<u>- 5</u>
Total Points	<u>28</u>	<u>18</u>
TOTAL ASSESSED FINE		<u>\$ 180.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)